REMARKS

Claims 1-14 remain in the application and stand subject to a species election requirement. Only claim 1 is in independent form. More specifically, the Examiner has previously restricted the application to one of the following inventions:

Group I, claims(s) 1 and 2, drawn to a composition with block copolymer A.

Group II, claim(s) 3, drawn to composition comprising block copolymer A and block copolymer B.

Group III, claim(s) 4 and 5, drawn to a composition comprising block copolymer A and silicone compound C.

Group IV, claim(s) 6, drawn to a composition comprising block copolymer A and surface-acting agent D.

Group V, claim(s) 7, drawn to a composition comprising block copolymer A and surface-acting agent E.

Group VI, claim(s) 8, drawn to a composition comprising block copolymer A and a water soluble polymer F.

Group VII, claim(s) 9, drawn to a composition comprising block copolymer A and liquid cyclic silicone G.

Group VIII, claim(s) 10, drawn to a composition comprising block copolymer A and liquid chain silicone H.

Group IX, claim(s) 11, drawn to a composition comprising block copolymer A and liquid isoparaffin-type hydrocarbon (I).

Group X, claim(s) 12, drawn to a composition comprising block copolymer A and liquid or hard ester oil (J).

Group XI, claim(s) 13 and 14, drawn to a composition comprising block copolymer A and a solvent.

In response to this restriction, the Applicant elected Group II.

In addition to this restriction, the Applicant was required to make a species election due to the Applicant's election of Group II.

The subscript b2:

The Examiner contends that a compliant election of the species was not made with respect to block copolymer A. More specifically, the Examiner notes that the subscript b2 applies to the group C_8H_6O as well as to the group C_3H_6O. Therefore, because the Applicant has elected that the subscript b2 be equal to zero, each of the groups C_8H_6O and C_3H_6O shall be treated as an optional component. In other words, although the subscript b2 may be independently selected for each of the groups C_8H_6O and C_3H_6O, the Applicant elects that the subscript b2 be equal to zero in each instance it is referenced in block

copolymer A. As such, for the purposes of examination, the Examiner should initially treat the groups to which the subscript b2 applies, i.e., C_8H_6O and C_3H_6O, as absent from block copolymer A.

The subscripts c and c':

Further, the Examiner contends that a similar problem exists with respect to the subscript c because an integer greater than zero is not a specific species. The Examiner states that "[t]he presence or absence of optional moieties must be specified." The Applicant points out that the subscript c is defined as "a 1 or greater integer." Because the subscript c is defined as a 1 or greater integer, the group to which the subscript c applies is always present in block copolymer A, i.e., it is <u>not</u> an optional moiety, and thus its presence is specified. Therefore, for the purposes of examination, the Examiner should treat the group to which the subscript c applies as present, i.e., a non-optional component, in block copolymer A.

The Applicant respectfully points out that the subscript c' was previously elected as "an integer greater than zero," though the Examiner referenced this language with respect to the subscript c, which is defined as a "1 or greater integer." Notably, "1 or greater integer" and "integer greater than zero" are equivalent and do <u>not</u> designate an optional moiety because zero is excluded from the possible integers. Therefore, the subscript c and the subscript c' should be treated similarly and for the purposes of examination, the Examiner should treat the groups to which the subscripts c and c' apply as present, i.e., non-optional components.

The Applicant also points out that the Applicant previously elected that the subscripts b3 and b4 "are independently integers greater than zero such that the groups C_2H_4O and C_3H_6O shall be treated as a non-optional component." The Examiner did not object to these elections, which are no different than the election for subscript c.

As stated in the previous response, the Applicant respectfully contends that the following claims also fall under the scope of the elected species in claims 1 and 3: claims 2 and 5-14. The Applicant also reserves the right of rejoinder pending the allowance of a generic claim.

Although no fees are believed due, the Commissioner is authorized to charge Deposit Account No. 08-2789 for any fees or to credit the account for any overpayment.

Respectfully submitted,
HOWARD & HOWARD ATTORNEYS, P.C.

Dated: <u>November 7, 2008</u>   **/David M. LaPrairie/**
David M. LaPrairie, Registration No. 46,295
The Pinehurst Office Center, Suite 101
39400 Woodward Avenue
Bloomfield Hills, Michigan 48304-5151
(248) 723-0442